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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT LITIGATION

MDL No. 3084

Master Docket Case No. 3:23-md-03084

THIS DOCUMENT RELATES TO:

Honorable Charles R. Breyer

R.M.

Case No. 3:25-cv-1384

v.

UBER TECHNOLOGIES, INC.; RASIER, LLC;
and RASIER-CA, LLC

**PLAINTIFF'S RESPONSE TO THE COURT'S ORDER TO SHOW CAUSE WHY
PLAINTIFFS WHO HAVE SUBMITTED NON-BONA-FIDE RECEIPTS SHOULD NOT
BE DISMISSED WITH PREJUDICE**

Pursuant to the Court's Orders [ECF 3972] (Order to Show Cause) and [ECF 4120]
(Ordering Plaintiff to respond by October 17, 2025), Plaintiff R.M. submits the following response.
In short, Plaintiff has now filed a Notice of Voluntary Dismissal with Prejudice and, accordingly,
Plaintiff respectfully submits that the Court's Order to Show Cause is now moot as to Plaintiff
R.M.

ARGUMENT*a. Plaintiff Filed a Notice of Voluntary Dismissal with Prejudice*

On October 17, 2025, Plaintiff filed a Notice of Voluntary Dismissal with Prejudice as to all claims and all Defendants [ECF 4173]. In light of that dismissal with prejudice, the issues identified in the Court's Order to Show Cause are largely moot. Plaintiff respectfully requests that the Court discharge the Order to Show Cause and deny any further discovery or sanctions proceedings as unnecessary.

b. Plaintiff Had Diligently Complied with Discovery Obligations

Prior to dismissal, Plaintiff produced all materials reasonably within her control, including a 20-page Plaintiff Fact Sheet and the available receipt. She made diligent efforts to obtain additional documentation of her rideshare use, but was hindered by the fact that she no longer used the Uber app, no longer had access to the email account associated with her rideshare profile, and was unable to recover historical emails containing further receipts.

c. Survivors of Sexual Assault Frequently Encounter Barriers to Discovery and Litigation

Difficulties in retrieving legacy receipts do not reasonably imply fraud. Survivors frequently change phones, applications, and email credentials, often for safety, rendering older account information inaccessible. The resulting evidentiary gaps are logistical in nature. Plaintiff's Notice of Voluntary Dismissal with Prejudice reflects the unique burdens survivors encounter in prosecuting claims, rather than any admission or improper purpose. To avoid further scrutiny and risk re-victimization, Plaintiff elected to dismiss her claims with prejudice.

1 **CONCLUSION**

2 For the foregoing reasons, Plaintiff respectfully submits that the Court's Order to Show
3 Cause is now moot, and the Clerk may administratively close the case.

4 Dated: October 17, 2025

Respectfully submitted,

5 /s/ Ellyn Hurd

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13 **CERTIFICATE OF SERVICE**

14 I, Ellyn Hurd, hereby certify that on October 17, 2025, the foregoing document was filed
15 via the Court's CM/ECF system, which will automatically serve and send email notification of
16 such filing to all registered attorneys of record.
17

18 /s/ Ellyn Hurd

19 Ellyn Hurd